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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,179	11/17/2003	Steven J. Simske	200310947-1	3337

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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

NOTIFICATION DATE	DELIVERY MODE
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01/24/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/715,179	Applicant(s) SIMSKE ET AL.	
	Examiner Khanh Dinh	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Remarks filed on 12/6/2007. Claims 1-29 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Guedalia et al., US pat. No.6,907,112.

As to claim 1, Guedalia discloses a system, comprising:

a user voice interface and a processor coupled to the user voice interface, wherein the processor interprets words spoken by a user through the user voice interface (using voice response computer for processing voice electronic mail, see fig.1A, abstract, col.22 lines 8-59 and col.26 line 27 to col.27 line 38); and
a memory coupled to the processor, wherein the memory stores an email application executed by the processor, wherein the email application summarizes email messages and navigates a plurality of email messages according to the words spoken by the user

Art Unit: 2151

(using text to speech converter, see col.22 line 60 to col.23 line 49).

As to claim 2, Guedalia discloses that the email application accesses information on a network related to a word spoken by the user and displays the information to the user (see col.22 line 60 to col.23 line 49).

As to claim 3, Guedalia discloses that the email application provides content-based re-direction between at least two items selected from the group consisting of emails and email attachments (see col.24 lines 14-60).

As to claims 4 and 5, Guedalia discloses that the user voice interface is selected from the group consisting of a cell phone, a telephone, and a microphone and a speaker coupled to the processor, wherein the speaker audibly communicates options provided by the email application to the user (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 6, Guedalia discloses that the speaker further allows written content of emails and email attachments to be communicated audibly to a user of the email application (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 7, Guedalia discloses wherein the email application controls email content presented to a user according to at least one voice-controlled function selected from a

group consisting of expanding a summary sentence to a surrounding paragraph, contracting an email paragraph to a summary sentence, contracting an email to a summary, accessing a next instance of a topic in an email, accessing a next instance of a topic in an email attachment, repeating a sentence of an email, repeating a paragraph of an email, repeating an email, skipping to the end of an email, and accessing emails within an email string (see col.27 lines 8-65).

As to claims 8 and 9, Guedalia discloses that the email application weights words of a text to generate summaries of emails and email attachments and the email application allows a user to dictate words for a voice-activated function selected from a group consisting of creating an email message, editing an email attachment, filling in fields of an email, and creating an audio version of an email (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 10, Guedalia discloses that the email application permit a user via voice commands to perform a function selected from a group consisting of adding an attachment to an existing attachment, editing an existing attachment, adding an attachment from a remote server, adding a URL-based attachment, and adding meta-data to a header of an attachment (see col.24 line 26 to col.25 line 44).

As to claim 11, Guedalia discloses a method, comprising: receiving voice commands; selecting a mode for sequencing through a plurality of emails according to a voice

Art Unit: 2151

command (using voice response computer for processing voice electronic mail, see fig.1A, abstract, col.22 lines 8-59); presenting content of a select email to a user according to a voice command and accessing an email containing text related to the presented email according to a voice command (using text to speech converter, see col.22 line 60 to col.23 line 49).

As to claim 12, Guedalia discloses accessing an email attachment related to the presented content of the selected email according to a voice command (see col.22 line 60 to col.23 line 49).

As to claim 13, Guedalia discloses activating an interrupt while presenting content of the selected email according to a voice command, wherein the interrupt causes an action selected from a group consisting of: exiting an email browser; going to a next email; going to a previous email; opening an attachment; and returning to an email sequencing mode select menu (see col.24 lines 14-60).

As to claim 14, Guedalia discloses wherein the mode for sequencing through a plurality of emails is selected from a group consisting of an entire email mode, an email summary mode, an email subject mode, an email sender mode, and an important emails mode (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claims 15-17, Guedalia discloses dictating an email message according to a voice command, adding an email attachment according to a voice command and editing an email attachment according to a voice command (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 18, Guedalia discloses searching for information on a network related to text of an email using a voice command (see col.24 line 26 to col.25 line 44).

As to claim 19, Guedalia discloses a computer readable medium containing instructions that are executable by a computer system, and when executed the instructions implement a method comprising:

selecting a mode for sequencing a plurality of emails according to a voice command of a user; dynamically changing content presentation of a select email according to a voice command of the user (using voice response computer for processing voice electronic mail, see fig.1A, abstract, col.22 lines 8-59); and

accessing an email containing text related to the select email according to a voice command of a user (using text to speech converter, see col.22 line 60 to col.23 line 49).

As to claim 20, Guedalia discloses executing the instructions implement a method further comprising summarizing emails and email attachments presentable to the user (see col.22 line 60 to col.23 line 49).

Art Unit: 2151

As to claim 21, Guedalia discloses using voice-based web navigation techniques to perform a search for information related to content of the select email and audibly presenting results of said search to the user (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 22, Guedalia discloses dictating words of an email according to a voice-activated function selected from a group consisting of automatic speech recognition, automatic speech recognition with text-to-speech feedback, automatic speech recognition plus an audio attachment, and audio only (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 23, Guedalia discloses performing a voice-activated function selected from a group consisting of adding an attachment to an existing attachment, editing an existing attachment, adding an attachment from a remote server, adding a URL-based attachment, and adding meta-data to a header of an attachment (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 24, Guedalia discloses managing interrupts while an email is being presented, wherein the interrupts are selected from a group consisting of exiting the email application, accessing a next email, accessing a previous email, opening an attachment, returning to an email sequencing menu, accessing another email that contains similar content, and accessing an email attachment that contains similar

Art Unit: 2151

content (see col.22 line 60 to col.23 line 49).

As to claim 25, Guedalia discloses managing access to related email, wherein the emails are related by at least one item selected from a group consisting of topic, TO field, FROM field, SUBJECT field, temporal cue, and attachments (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

Claims 26 and 27 are rejected for the same reasons set forth in claims 1 and 20 respectively.

As to claim 28, Guedalia discloses accessing information related to text content of an email wherein the information is accessed from a source selected from a group consisting of emails, email attachments, Internet content, and Intranet content (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 29, Guedalia discloses that the email sequencing mode allows a user to visually or audibly access text selected from a group consisting of entire emails, email summaries, email senders, email subjects, and important emails (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

Response to Arguments

4. Applicant's arguments filed 12/6/2007 have been fully considered but they are not persuasive.

- Applicant asserts that the cited reference does not disclose "the email application summarizes email messages into a word, sentence or paragraph".

Examiner respectfully disagrees. Examiner respectfully point out that in the claim language, Applicant claims only "the email application summarizes email messages". Therefore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., into a word, sentence or paragraph) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the

Art Unit: 2151

specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Examiner respectfully point out that Guedalia discloses "the email application summarizes email messages" by disclosing the email notification which contains only links for accessing to the WAV files or the REALAUDIO file using the HTTP protocol, not the whole file (see abstract, col.22 lines 8-59 and col.26 line 27 to col.27 line 38).

- Applicant asserts that the cited reference does not disclose selecting a mode for sequencing through a plurality of emails according to a voice command.

Examiner respectfully point out that Guedalia discloses selecting a mode for sequencing through a plurality of emails according to a voice command (enabling users to use voice response computer for processing incoming and outgoing voice electronic mail messages, see fig.1A, abstract, col.22 lines 8-59).

- Applicant asserts that the cited reference does not disclose "changing an email sequence mode according to a voice command of the user".

Examiner respectfully point out that Guedalia discloses changing an email sequence mode according to a voice command of the user [enabling users to use voice response computer for processing incoming and outgoing voice electronic mail messages such as text to speech converter or encoder (encoding messages), see fig.1A, abstract, col.22 lines 8-59 and col.24 lines 4-60].

As a result, cited prior art does disclose a voice system, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

Conclusion

5. Claims 1-29 are rejected.
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2151

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
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